

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE: BAYOU HEDGE FUNDS  
INVESTMENT LITIGATION

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This Document Relates To:

ALL ACTIONS.

)  
)  
)  
) CASE NO. 06-MDL-1755 (CM)

) JUDGE COLLEEN McMAHON  
)

**MOTION FOR ADMISSION *PRO HAC VICE*  
OF DAVID K. HERZOG**

Pursuant to Local Civil Rule 1.3(c), the undersigned counsel, David K. Herzog, hereby moves for admission *pro hac vice* to appear and practice before the Court on behalf of DePauw University, and in support of this Motion states as follows:

1. I submit this motion pursuant to Rule 1.3(c) of the Local Rules of Civil Procedure for the Southern District of New York for my *pro hac vice* admission as counsel of record for DePauw University and for permitting me to participate in all proceedings in connection with this case.

2. I am an attorney licensed to practice law in the State of Indiana. I am a partner with the law firm of Baker & Daniels LLP, resident in its Indianapolis, Indiana office located at 300 North Meridian Street, Suite 2700, Indianapolis, Indiana 46204.

3. I was admitted to practice law in the State of Indiana in 1980. I am admitted to practice law before the U.S. District Courts for the Southern and Northern Districts of Indiana, the U.S. District Court for the Western District of Pennsylvania, the U.S. Court of Appeals for the Sixth Circuit, and the U.S. Court of Appeals for the Seventh Circuit.

4. I am currently engaged in the full-time practice of law and have never been censured in a disciplinary proceeding, held in contempt of court, suspended or disbarred by any court or admonished by any disciplinary committee of the bar, and am not currently the subject of any pending complaint before any court.

5. I am a member in good standing of all bars to which I am admitted to practice, and I have never been denied admission to any state or federal court.

6. I am fully familiar with the Local Rules of the U.S. District Court for the Southern District of New York.

7. I am fully familiar with the facts and circumstances of the case now before this court.

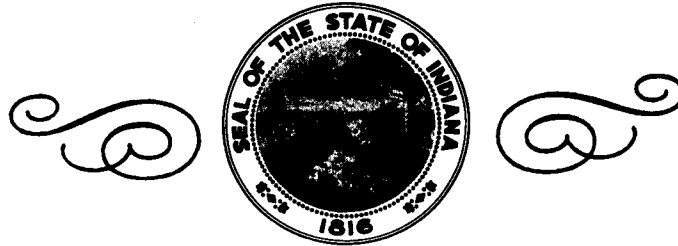
8. In further support of this motion, I submit herewith my Certificate of Good Standing (*see* Ex. A) as required by Local Rule 1.3(c).

WHEREFORE, David K. Herzog respectfully requests admission *pro hac vice* to the U.S. District Court for the Southern District of New York to represent the interests of DePauw University with reference to the above-captioned matter only.

Dated: April 24, 2006

  
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David K. Herzog  
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# SUPREME COURT OF THE STATE OF INDIANA



## *Certification*

STATE OF INDIANA, SS:

I, Kevin S. Smith, Clerk of the Supreme Court  
of Indiana, do hereby certify that

\_\_\_\_\_  
DAVID KERR HERZOG

is a member of the bar of said Court since admission on  
\_\_\_\_\_  
OCTOBER 10th 1980, and is in good  
standing therein.

GIVEN under my hand and the seal of said Court at Indianapolis,  
Indiana, this 21st day of APRIL, 20 06.



\_\_\_\_\_  
*Kevin S. Smith*

KEVIN S. SMITH  
CLERK, SUPREME COURT OF INDIANA